



**Village of Cambridge
ENERGY SUBCOMMITTEE AGENDA
Amundson Community Center, 200 Spring St
Community Room
Tuesday, September 21, 2021, 5:00 p.m.**

PER THE CDC, DANE COUNTY HAS BEEN CONSIDERED SUBSTANTIAL OR HIGH-RISK TRANSMISSION AREA FOR THE DELTA VARIANT OF COVID. THIS IS AN IN-PERSON MEETING: HOWEVER, TO MAXIMIZE PROTECTION WE RECOMMEND WEARING OF MASKS INDOORS IN PUBLIC SPACES. THE MEETING ROOM WILL BE SET UP FOR SOCIAL DISTANCING. THANK YOU!

Agenda

1. Call to order/Roll Call
2. Proof of Posting
3. Public Comment
4. Approval of Minutes from August 17, 2021
5. Convene into Closed Session per 19.85(1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Proposed Development, Koshkonong Solar Energy Project and related proceedings before the Public Service Commission.
6. Reconvene into open session
7. Possible Action Taken on Closed Session Items
8. Set next meeting date
9. Questions, Referrals to Staff or Future Agenda Items
10. Adjournment

Persons needing special accommodations should call 423-3712 at least 24 hours prior to the meeting.

A quorum of the Village Board will attend this meeting for the purpose of gathering information relevant to their responsibilities as Village Trustees.

Recommendation by the subcommittee will be made to be acted upon by the Village Board at a regular meeting.

More specific information about agenda items may be obtained by calling 423-371

Lisa Moen, Village Clerk/Administrator



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MINUTES

- 1. Call to order/Roll Call:** Trustee Rose called the meeting to order at 5:00 p.m. Members present: McNally, Kumbier, Milsap, Lund and Rose. Others present: Lisa Moen, Administrator/Clerk; Chrissie Brynwood, Treasurer; Jim Womble, Cambridge School District; Roxy Engelstad; Trustee Galler and Trustee Franklin. Attorney Matt Frank attended by Telephone.
- 2. Proof of Posting:** The agenda was posted in the upper and lower levels of the Amundson Community Center, Cambridge Post Office, Hometown Bank and the Village Website.
- 3. Public Comment:** Jim Womble shared the School District's letter that was sent to the PSC as well as their statement regarding the project. These will be shared with the Subcommittee.
- 4. Approval of Minutes from June 29, 2021:** Kumbier made a motion to approve the minutes as presented, seconded by Milsap. Motion carried.
- 5. Unfinished Business:**
 - a. Update on PSC schedule/actions:** Matt Frank provided information on the PSC meeting where schedules were discussed and intervenors were introduced. The final schedule was released today. The main date for us is November 7, 2021, which is when our testimony would be due.
 - b. Update on PSC Grant Application:** Thank you to Jeff Milsap for the work that he has put into this. The attorneys are reviewing, working on a budget and working to secure an expert witness. They will provide final changes to Milsap. Either they, or Rose or Moen, will submit by the end of the working day on Thursday.
- 6. Convene into Closed Session** per 19.85(1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Proposed Development, Koshkonong Solar Energy Project and related proceedings before the Public Service Commission. *McNally made a motion to convene into closed session per 19.85(1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and 19.85(1)(e) Deliberating or negotiating*

the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Proposed Development, Koshkonong Solar Energy Project and related proceedings before the Public Service Commission, seconded by Lund. Motion carried on a 5-0 roll call vote.

- 7. Reconvene into open session:** McNally made a motion to reconvene into open session, seconded by Lund. Motion carried 5-0 on a roll call vote.
- 8. Possible Action Taken on Closed Session Items:** *McNally made a motion to recommend to the Village Board legal fees not to exceed \$60,000 for the Koshkonong Solar Energy Project and related proceedings before the Public Service Commission, seconded by Lund. Motion carried.*
- 9. Set next meeting date:** As things will be moving faster over the next few months, we will meet 2 times a month if necessary. The next meeting would be Tuesday, August 31.
- 10. Questions, Referrals to Staff or Future Agenda Items:** None
- 11. Adjournment:** McNally made a motion to adjourn, seconded by Milsap. Motion carried. Rose adjourned the meeting at 6:25 p.m.

Lisa Moen, Village Clerk/Administrator

Village of Cambridge Village Board
200 Spring Street, Cambridge WI 53523

September 16, 2021

RE: Development Proposal – Hinchley Property.

Dear Village of Cambridge Village Board,

We are writing as a supplement to our collective appearance at the Village Board meeting held on September 14, 2021. The purpose of this letter is to re-iterate our position and request that the Village Board take substantive action in response to the development proposal at-hand.

On July 9th, 2021 we met with Village President Mark McNally and attorney Matthew Fleming to discuss a proposal to address the Village's claimed desire for expansion via a 114-acre combined commercial and residential development project. The property is currently owned by Duane and Tina Hinchley and is located adjacent to the Village in the Town of Christiana.

The 114-acre property, along with other properties located in the Town of Christiana owned by the Hinchley family, is currently signed under solar lease with Koshkonong Solar. As stated during the July 9th meeting, the September 14th Village Board meeting, and re-stated here, the Hinchleys are willing to sell the 114-acre property in question to resolve the Village's concerns and opposition to Koshkonong Solar. The Hinchleys have expressed that they are willing to make this concession as a peace offering to the Village to enable the remainder of their property signed with the solar project to host solar facilities, and have stated that the Village's withdrawal of its intervention in opposition to Koshkonong Solar is a requirement of the agreement to sell the land. The Hinchley family has financial considerations and property rights that must be respected and would prefer to maintain ownership of the 114-acre property and host solar facilities. Real estate developers Todd Schultz and Mike Herl have engaged the Hinchleys to develop the currently agricultural 114-acre property as part of a commercial and residential real-estate project. Koshkonong Solar has agreed to terminate the solar lease on this property upon purchase and development of the property by Todd Schultz and Mike Herl and consummation of the Village's obligations.

We have identified a win-win-win-win situation that would directly address the Village's asserted desire to grow and concerns regarding the proposed Koshkonong Solar project. Since the July 9th meeting, it has been in the direct hands of the Village to advance this development for the benefit of all parties. Over two months have passed since this proposal was presented to the Village with no material action or indication from the Village to advance this opportunity. The Village's inaction has had a significant, adverse impact on the ability for this proposed development to proceed. Koshkonong Solar's attempts to contact Village leadership to advance this solution have gone unreturned.

We find the August 24th correspondence from the Village regarding the proposal to be conspicuously absent on the details necessary to successfully implement this proposal and instead reads as a belated and hollow demonstration of the Village's claimed growth desires. The correspondence

contains no mention of withdrawing from intervening in the Koshkonong Solar CPCN proceeding as requested and omits mention of the Village's support for Koshkonong Solar.

We have come together and made concessions to present a viable solution to the Village's expressed desires for growth. We have worked cooperatively and in good-faith to develop this organic solution. This is an opportunity to pave the way for the type of growth the Village has expressed interest in, and avoid the costs and risks associated with its intervention in the solar project proceeding. If the Village's stated desire for growth is real (as opposed to manufactured for the purpose of opposing the solar project), this development presents an ideal way for the Village to fill that desire and grow.

As stated during the initial meeting on July 9th, this opportunity is time-sensitive and the time is quickly running out. The Hinchleys, Mr. Schultz and Mr. Herl, and Koshkonong Solar all have time-sensitive obligations and deadlines in play. We request the Village Board take the following actions no later than September 29th, 2021 to advance this opportunity. Failure to take any of the following actions will result in the Hinchleys' withdrawal of the 114-acre property for consideration in sale and withdrawal of Mr. Schultz's and Mr. Herl's continued development of the commercial/residential project.

Village of Cambridge – Required Actions by September 29th, 2021:

- Withdraw intervention in the Koshkonong Solar CPCN proceeding. Docket # 9811-100-CE.
- Issue a new letter of support for Koshkonong Solar **and** the proposed 114-acre commercial/residential development project and include a determination to work in good-faith to establish the proper zoning, TIF district, and approval timelines necessary for the commercial/residential development to proceed.

We respectfully submit these requests and await your response.

Sincerely,

DocuSigned by:

Duane and Tina Hinchley

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Duane and Tina Hinchley

DocuSigned by:

Todd Schultz

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Todd Schultz

DocuSigned by:

Aidan O'Connor

AC9EA2F2047E47E...

Koshkonong Solar Energy Center LLC

DocuSigned by:

Mike Herl

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Mike Herl